HONOURABLE SRI JUSTICE SAMUDRALA GOVINDARAJULU

CRIMINAL PETITION No.5067 of 2006

DATED 27.01.2010

Between:

Tangudu Chadrasekhar Rao and 3 others.

... Petitioners

And

State rep. By its Public Prosecutor
and another ...
Respondents

HONOURABLE SRI JUSTICE SAMUDRALA GOVINDARAJULU

CRIMINAL PETITION No.5067 of 2006

ORDER:

This petition is filed by the accused Nos.1 to 4 under Section 482 Cr.P.C for quashing F.I.R in Crime No.48/2005 of I Town Police Station, Srikakulam relating to offences punishable under Sections 109, 307, 427, 447, 420, 506(part-II), 120-B and 352 I.P.C.

2) It is stated that after filing of this petition, the police filed final report referring the case as non-cognizable and thereupon, the Judicial Magistrate of the First Class, Srikakulam made enquiry under Section 202 Cr.P.C and took cognizance of the case and registered the same as P.R.C. No.10/2006. It is stated to be pending in Magistrate Court. In that view of the matter, this petition for quashing F.I.R in Crime No.48/2005 has become infructious.

3) Accordingly, the petition is dismissed. The petitioners are at liberty to question taking cognizance of P.R.C. No.10/2006 in appropriate Court in case they are advised to do so.

SAMUDRALA GOVINDARAJULU, J

January 27, 2010

KSH